

THE ROANOKE TIMES. NEWS.

THE SHEPHERD CASE.

The Jury Unable to Find a Verdict Yesterday.

THE ROANOKE TIMES BUREAU, HOTEL LUCERNE, SALEM, VA.

Another thronging crowd assembled in the Court House yesterday to hear the conclusion of the Shepherd case. It was the intention of Col. Hansbrough on Monday not to put his client, Shepherd, on the stand, but yesterday morning Shepherd was examined. He testified that he came from Mobile, Ala., to Salem and approached Mr. Strouse in regard to working with him in the insurance business. He said he was a partner in the business and had deposited in all \$830 in the bank, 15 per cent. of which, \$126, was the commissions due to C. B. Strouse & Co., agents. The balance was the property of the insurance companies. Half of the \$126 was his, Mr. Shepherd maintained. He further stated for the first two months of the partnership Mr. Strouse had agreed to allow him (Shepherd) the first \$50 of the commissions monthly. In regard to the \$500 he is accused of embezzling, and which he drew out of bank Mr. Shepherd said he had repaid this to Mr. Strouse, giving his note for the amount, the notes being endorsed by his uncle, who, he said in answer to a question, was considered solvent by the banks in Vicksburg, Miss. The note is not yet due.

When he left this place, Mr. Shepherd said, to go North he went to see Mr. Warfield, of the Royal Insurance Company, in Baltimore, but Mr. Warfield was out of the city as he found on reaching that city. He got out of money and wired C. B. Strouse & Co. for money.

At Washington he registered at the Metropolitan Hotel, signing his name "J. F. Shepherd."

As Colonel Hansbrough had been relentless in his demands for the presence of any letters or account books that the acting commonwealth's attorney, Mr. Baer, might have alluded to, Mr. Baer amused the court and courtroom by demanding in a retaliatory way, that the Metropolitan Hotel register be produced in court. Of the \$840 deposited in the Farmer's National Bank, Mr. Strouse had drawn \$229 out himself.

It was two months after he had been in the firm, he said, that he found that Strouse did not consider him a partner, and it was on one occasion when he (Shepherd) had proposed to have both their names printed in the letter heads of the firm, that Mr. Strouse intimated in insolent language that he did not consider him (Shepherd) a partner.

Mr. Strouse was put on the stand. He had not heard all of Shepherd's testimony, having been out of the room part of the time. He was told by Acting Commonwealth's Attorney Ball that Shepherd had sworn that he was to get \$50 of the commissions for the first two months and was asked if this was true. "It's all a lie," answered Mr. Strouse.

Enter a fine of \$5 against Mr. Strouse for improper language in court," said Judge Griffin, as he turned to the clerk. This ended the evidence and his proceedings to pass upon the instructions of which the counsel in the case had asked him to present to the jury. Out of Col. Hansbrough's ten instructions Judge Griffin only allowed one of Mr. Baer's four he also allowed only one. Besides these his honor presented two others; the first was that if Shepherd took the \$500 without the consent of C. B. Strouse & Co., the jury may find him guilty.

The second was that if Shepherd was a partner in the firm of C. B. Strouse & Co., the jury may not find him guilty.

The instruction allowed in accordance with the request of Mr. Baer was that in order to be a partner one must have an interest in the profits as profits, and not receive merely a stipulated part of the profits as compensation for his services. The instruction asked for by Mr. Hansbrough, which his honor allowed, was with regard to intent. If there was no intention on the part of Shepherd at the bar to commit embezzlement, the jury may find not guilty.

Baer made the first speech of an hour's length, carefully reviewing the evidence, and commenting on it in the case.

Hansbrough, though complaining of feeling unwell, made a speech of an hour and forty minutes' duration, in which he left untold no stone in the defense of his client, combining wit and sarcasm with able argument. He argued that Shepherd was a partner in the firm of C. B. Strouse & Co., and that as such he could not be guilty of embezzlement.

After the closing speech of the acting commonwealth's attorney, at 5 o'clock, the jury retired with their instructions. They returned at 5:45 p. m., unagreed. They were put in charge of an officer to keep them together all night. Their decision will be heard at 10 o'clock this morning.

PNEUMONIA.

Deaths From This Disease in Salem Yesterday.

Y. Phifer died at 3 o'clock yesterday afternoon at the residence of W. Phifer of typhoid pneumonia. The illness was incident to Mr. Phifer's very sad. Coming to Salem a few days ago he decided to locate and establish a dry goods house. In accordance with his purpose, about a week ago he went to New York, where he purchased a \$5,000 stock of goods of which have arrived and are placed in the new store on College avenue. Yesterday morning a fire had been swung out, as was thought to be better and to recovery.

He was 31 years of age, and was of Concord, N. C., where he had been in the earlier part of his life. Many years past he has been associated with a dry goods house in C. first with Norris & Co. and then with W. H. & Co. of dry goods.

which afterwards assumed a typhoid form. His mother and brother, D. P. Phifer, of Newton, N. C., were with him at his death.

Mr. Phifer was of a remarkably good natured temperament, and the large number of friends he had made during his short stay in Salem was the subject of comment. His remains were taken to Concord, N. C., for interment, leaving on the 11:27 p. m., train last night, accompanied by his mother and brother, and will be interred in the Presbyterian Church ground of that place, Mr. Phifer being a member of that denomination.

A young man named Dough Jones, 18 years old, employed in the wood working department of the Flynn Wagon Works, died yesterday at 3 o'clock on Union street of pneumonia. His death was hastened by his habit of excessive cigarette smoking. Mr. Jones came to Salem from Danville last fall.

BREVITIES.

Harry Penick, of West Virginia, is in the city visiting J. W. and J. H. Hannah.

The college boys were given a holiday yesterday to hear Col. Hansbrough's speech in the Shepherd case, quite a number of the boys preparing to study law.

Miss Young, of Parkersburg, W. Va., is visiting Miss Grace Hutchison.

There was some disappointment in Salem yesterday because THE TIMES accounts of the conference appointments did not show who Salem's preacher was to be.

Father Lynch, of Roanoke, was in Salem this week, considering the matter of establishing a Catholic church here.

SALEM ADVERTISEMENTS.

REMARKABLE GROWTH

Of Salem, "The Queen City of the Southwest," in One Year.

The Salem Improvement Company, the most successful organization of its kind in Virginia, had its first sale of lots December 11, 1890. Since that time the growth of Salem has been marvelous. About 400 houses have been built; \$1,000,000 spent in buildings and improvements; the population nearly doubled, and the business of the postoffice and telegraph office increased 500 per cent. The iron furnace about to go into blast, the factories in operation and actually secured will employ several thousand hands and insure the doubling of the present population of 4,000 in another year. Among the industries recently secured are a rolling mill from Cincinnati, the Ocean Speed Cart Works from Olean, N. Y., and wire nail works from Parkersburg, W. Va.

Negotiations are in progress for additional plants to employ a large number of hands, and the land companies, with an aggregate capital stock of \$4,000,000, have voted liberal sums for new industries. A woolen mill (nearly completed) that will manufacture its goods into clothing, will employ a large number of females. The early extension of the Baltimore and Ohio and the Roanoke and Southern to Salem will make it an important railway center, and hasten its growth into a large iron, steel and general manufacturing and commercial city. Salem and Roanoke, now rapidly growing together, are destined to be the great industrial center of Virginia.

The proximity of the great Flat Top coal fields, the cheapness of the famous Pocahontas coal and coke, the abundant supply of iron ore, timber, and other raw materials, make Salem an advantageous point for manufacturing. Salem is the most attractive town in Virginia; and it may well be proud of its surpassingly beautiful location, its healthful climate, its refined society, its fine churches, its excellent schools, and of Roanoke College, one of the leading institutions in Virginia. Attractive as a place of residence, it now offers unusual advantages for manufacturing and general business. No other town in Virginia has ever equalled Salem's record of progress for the last twelve months. The stage of experiment is passed, and Salem is now firmly established on a solid industrial basis.

The property of the Salem Improvement Company adjoins the old town and is surrounded by the lands of other strong companies. Being inside property, it will continue to increase in value. The Norfolk and Western and the Dummy Line to Roanoke run through it and have their passenger stations on it. The streets have been graded and the town system of water works extended through it. On College avenue, which has been well graded and macadamized at a cost of \$9,000, only brick or stone buildings may be erected. At the foot of this avenue stands the fine new stone passenger station of the Norfolk and Western railroad, and on it the Hotel Salem, costing \$85,000, exclusive of the land or furniture, is under roof, the Improvement Company's bank and office building—50 by 80 feet, three stories—is nearly ready for occupancy, and a number of large business houses have been built and others are in course of erection. This avenue is sure to become one of the finest business thoroughfares in Virginia.

Persons interested in locating plants, or in making investments in Virginia, should not fail to visit Salem. A pamphlet of 32 pages, a map and further information will be furnished by J. W. ALLEMONG, President, Salem, Va.

NOTICE TO STOCKHOLDERS.

At a meeting of the board of directors of the Salem Improvement Company, held at the company's office December 30th, 1891, the following order was passed:

Resolved, That the president and treasurer be authorized to receive stock of the Salem Improvement Company at \$30 per share in full payment for all lots as specified by number on price list of December 11th and 12th, 1890, and at the prices named in said price list, remaining unsold, in any section east of Delaware street and south of the line of the Roanoke Street Railway Company, provided that the right to purchase under the above named terms shall be availed of between the 13th of February and the first of April, 1891, and that a copy of this resolution shall be mailed to each stockholder of record. S. D. COMMON, Secretary. feb1-eod

Southwest Virginia Mineral, Timber, Farm and City Property Agency.

Principal Office, Roanoke, Virginia.

The undersigned have opened an office for the sale of mineral, timber and farm land, and city property on commission. They will develop mineral lands, analyze ores, give instructions for developing on a reasonable charge, sell farm and timber lands. All mineral, farm and timber lands listed with them for sale will be extensively advertised through agencies in the Northern States and Europe. A record of all ores, their analyses and location will be kept in our office for inspection of buyers.

MINERALS A SPECIALTY

All persons having mineral, farm or timber lands are requested to list them with us for sale. The long experience of our senior, Mr. J. A. Dalby, in mining and sale of real estate warrant us in assuring our patrons that their interests will be properly guarded in the sale of their property, and all money coming into their hands will be promptly paid over. Owners may, if preferred, employ their special agent or attorneys.

Persons, in sending descriptive list of property, are especially cautioned against giving overdrawn descriptions, as it lessens chances of sale. We also advise against giving options on mineral properties, they often interfere with sales and lead to litigation. We shall do a legitimate commission business.

Active, reliable agents wanted in every county in Southwest Virginia.

All city property listed with us will have prompt attention, and sold to best advantage.

We have booked for sale a list of improved and unimproved property, business and dwelling houses in different sections of the city.

Persons wishing to buy or sell are respectfully invited to call on us.

Office, Room 3, Moomaw Building, Jefferson street.

Refer to First National Bank of Roanoke, Virginia.

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The Citizens Bank of Roanoke

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Salem Virginia, Chartered January, 1890. Capital, \$500,000.

Offer \$50,000 of their Series D Stock at \$5 per share. This stock is \$10 par value, and is based on property in Cambria, Va., embracing about 1,000 business and residence lots. Send for maps, circulars or stock to

GEORGE ALLEN, Pres., or C. C. TOMPKINS, Sec'y, Salem, Virginia. Jan 20-3m

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HAS A POPULATION OF 4 000,

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Has two systems of fresh water and a valuable mineral water in pipes, free, on the streets. Two electric light systems, and has under construction

AN ELECTRIC STREET RAILWAY.

A Construction Company has been organized to build the Virginia and Kentucky Railroad from Madison, N. C., to Wytheville, and from thence to

The Great Flat Top Coal Fields.

Expect to get Cape Fear and Yadkin Valley Railroad constructed, distance of ten miles, to Wytheville, while the Parkersburg, Little Kanawha and Virginia Railroad has decided to lay down its line via Wytheville for a Southern connection with Cape Fear and Yadkin Valley at this point, thus making Wytheville a competing railway center.

The Boyd Land and Improvement Company has now ready for the market a few choice business lots and villa sites within the corporate limits and commanding a fine and extensive view of the Alleghany and Blue Ridge mountains, and the graceful meanderings of the beautiful Reed river.

A large portion of these lots front on the Norfolk and Western Railroad, opposite the passenger depot, and are valuable for business sites. Lots range from 40 to 60 feet front and 150 feet, more or less, in depth. Every lot sold guaranteed to be well and desirably located, and if purchaser is not satisfied exchange will be made for any other lot remaining unsold on the premises. For maps, prices, terms or other information, apply to.

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General Manager, WYTHEVILLE, VA.

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